



I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 24, 2003.

Theodore P. Cummings 40,973
Name of Attorney/Agent Registration No.
Signature of Attorney

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MAY 02 2003
1761
TC 1700
5/9/03

IN THE UNITED STATES PATENT & TRADEMARK OFFICE
RESPONSE/AMENDMENT

Case Docket No. 8072M

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an AMENDMENT for the patent application:

Inventor(s): Stephen Paul Zimmerman, et al. Confirmation No. 2167
Serial No.: 09/851,040 Group Art Unit: 1761
Date Filed: 05/08/2001 Examiner: Drew E. Becker

Title: SNACK PIECE DESIGN HAVING INCREASED PACKED DENSITY

1. No additional fee is known to be required.
2. The fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY		
TOTAL	*	MINUS	**	=	x \$18 =	\$
INDEP.	*	MINUS	***	=	x \$84 =	\$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$280 =	\$
					TOTAL	\$

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the highest number of total claims previously paid for is less than 20, write "20" in this space.

*** If the highest number of independent claims previously paid for is less than 3, write "3" in this space.

3. The Commissioner is hereby petitioned under 37 CFR §1.136(a) to grant any extension of time needed for timely response to the Office Action dated 12/24/2002 in the above-identified application to preserve pendency of said application. The processing fee under 37 CFR §1.17 has been determined as follows: \$110.00 for a one-month extension of time.
4. The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-2480. A duplicate copy of this sheet is attached.
 - a. Any patent application processing fees under 37 CFR §1.16.
 - b. Any patent application processing fees under 37 CFR §1.17.
5. The Commissioner is hereby authorized to make any additional copies of this sheet needed to accomplish the purposes provided for herein and to charge any fee for such copies to Deposit Account No. 16-2480.

04/30/2003 HVUONG1 00000055 162480 09851040
01 FC:1251 110.00 CH


Theodore P. Cummings
Attorney or Agent for Applicant(s)
Registration No. 40,973
Tel. No. (513) 634-1906

April 24, 2003
Customer Number 27752

FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.



TOTAL AMOUNT OF PAYMENT (\$110.00)

Complete if Known

Application Number 09/851,040

Confirmation Number 2167

Filing Date May 8, 2001

First Named Inventor Stephen Paul Zimmerman, et al.

Examiner Name Drew E. Becker

Group/Art Unit 1761

Attorney Docket No. 8072M

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METHOD OF PAYMENT (check one)

The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 16-2480
Deposit Account Name The Procter & Gamble Company

Charge Any Additional Fee Required Under status. 37 C.F.R. §§1.16 and 1.17

FEE CALCULATION

1. BASIC FILING FEE – Large Entity

Code (\$)	Fee Description	Fee Paid
1001 750	Utility filing fee	<input type="checkbox"/>
1002 330	Design filing fee	<input type="checkbox"/>
1004 750	Reissue filing fee	<input type="checkbox"/>
1005 160	Provisional filing fee	<input type="checkbox"/>

SUBTOTAL (1) (\$10)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE – Large Entity

	Extra Claims	Fee from Below	Fee Paid
Total Claims	<input type="checkbox"/> - 20** =	<input type="checkbox"/> x	<input type="checkbox"/> = <input type="checkbox"/>
Independent Claims	<input type="checkbox"/> - 3** =	<input type="checkbox"/> x	<input type="checkbox"/> = <input type="checkbox"/>
Multiple Dependent		<input type="checkbox"/> = <input type="checkbox"/>	

** or number previously paid, if greater; For Reissues, see below

Code (\$)	Fee Description
1202 18	Claims in excess of 20
1201 84	Independent claims in excess of 3
1203 280	Multiple dependent claim, if not paid
1204 84	**Reissue independent claims over original patent
1205 18	**Reissue claims in excess of 20 & over original patent

SUBTOTAL (2) (\$10)

FEE CALCULATION (continued)

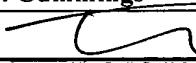
3. ADDITIONAL FEES

Code (\$)	Fee Description	Fee Paid
1051 130	Surcharge-late filing fee or oath	<input type="checkbox"/>
1052 50	Surcharge-late provisional filing fee or cover sheet	<input type="checkbox"/>
1053 130	Non-English specification	<input type="checkbox"/>
1812 2,520	For filing a request for <i>ex parte</i> reexamination	<input type="checkbox"/>
1804 920*	Requesting publication of SIR prior to Examiner's action	<input type="checkbox"/>
1805 1,840*	Requesting publication of SIR after Examiner's action	<input type="checkbox"/>
1251 110	Extension for reply within 1 st month	<input checked="" type="checkbox"/>
1252 410	Extension for reply within 2 nd month	<input type="checkbox"/>
1253 930	Extension for reply within 3 rd month	<input type="checkbox"/>
1254 1,450	Extension for reply within 4 th month	<input type="checkbox"/>
1255 1,970	Extension for reply within 5 th month	<input type="checkbox"/>
1401 320	Notice of Appeal	<input type="checkbox"/>
1402 320	Filing a brief in support of an appeal	<input type="checkbox"/>
1403 280	Request for oral hearing	<input type="checkbox"/>
1451 1,510	Petition to institute a public use proceeding	<input type="checkbox"/>
1452 110	Petition to revive - unavoidable	<input type="checkbox"/>
1453 1,300	Petition to revive - unintentional	<input type="checkbox"/>
1501 1,300	Utility issue fee (or reissue)	<input type="checkbox"/>
1502 470	Design issue fee	<input type="checkbox"/>
1460 130	Petitions to the Commissioner	<input type="checkbox"/>
1807 50	Petitions related to provisional applications (37 C.F.R. 1.17(q))	<input type="checkbox"/>
1806 180	Submission of Information Disclosure Statement	<input type="checkbox"/>
1809 750	Filing a submission after final rejection (37 CFR § 1.129(a))	<input type="checkbox"/>
1810 750	For each additional invention to be examined (37 CFR § 1.129(b))	<input type="checkbox"/>
1801 750	Request for Continued Examination (RCE)	<input type="checkbox"/>
1802 900	Request for expedited examination of a design application	<input type="checkbox"/>
1454 1300	Acceptance of unintentionally delayed claim for priority under 35 U.S.C. 119, 120, 121, or 365 (a) or (c)	<input type="checkbox"/>
Other fee (specify) _____		<input type="checkbox"/>
Other fee (specify) _____		<input type="checkbox"/>

* Reduced by Basic Filing Fee Paid

SUBTOTAL(3) (\$110)

SUBMITTED BY

Name (Print/Type)	Theodore P. Cummings	Registration No.	40,973	Complete (if applicable)
Signature				Date 04/24/2003

WARNING: Information on this form may become public. Credit Card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.



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Theodore P. Cummings, Esq. 40,973
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P&G Case No. 8072M

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

STEPHEN ZIMMERMAN, ET AL.

Confirmation No. 2167

Serial No. 09/851,040 : Group Art Unit: 1761

Filed: May 8, 2001 : Examiner: D. E. Becker

For: SNACK PIECE HAVING INCREASED PACKED DENSITY

RESPONSE TO OFFICE ACTION DATED DECEMBER 24, 2002 (PAPER NO. 10)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This response answers the office action dated December 24, 2002 (Paper No. 10).

IN THE SPECIFICATION

Please insert the clean form paragraph into the specification beginning at page 10, line 32 and continuing to page 11, line 12:

Ar
One embodiment of the snack piece of the present invention, the snack piece includes a dip-containment well (12) and is more fully shown and described in U.S. Patent Application Serial No. 09/850,894, titled, "An Ergonomic Snack Piece Having Improved Dip Containment", filed May 8, 2001 in the name of Stephen P. Zimmerman and herein incorporated by reference--the application is currently pending. The shapes that more readily form containment wells can be formed by taking a cap section or segment of a three-dimensional, source shape, including but not limited to spheres, ellipsoids, elliptic paraboloids, pyramids, right angle circular cones, or elliptic cones. The source shape may have one major radius of curvature, such as for spheres, two (major and minor), such as for ellipsoids, or more, such as for more complex shapes. The range of radius of curvature is from about 5 mm to about 500 mm, preferably from about 10 mm to about 150 mm, more preferably from about 10 mm to about 90 mm, and yet more preferably from about 15 mm to about 65 mm, most preferably from about 45 mm to about 55 mm. A cap or segment is cut from this three-dimensional, source shape.